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PTO/SB/21 (09-04)

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/706.673
	Filing Date	November 11, 2003
	First Named Inventor	Morgenstern, John M.
	Art Unit	3643
	Examiner Name	Collins, Timothy d
	Attorney Docket Number	SAL.P023 US (1023 P023 US)
Total Number of Pages in This Submission		4

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): -Notification of Loss of Entitlement to Small Entity Status and Payment of Additional Fee Due -Credit Card Charge Form
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	KOEESTNER BERTANI LLP		
Signature	<i>Mary Jo Bertani</i>		
Printed name	Mary Jo Bertani		
Date	April 22, 2005	Reg. No.	42,321

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:	
Signature	<i>Joy C. Ngo</i>
Typed or printed name	Joy C. Ngo
Date	April 28, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): John M. Morgenstern; Alan E. Arslan  
 Assignee: Supersonic Aerospace International, LLC  
 Title: MACH WEIGHTED AREA RULING FOR SUPERSONIC VEHICLES  
 Serial No.: 10/706,673 Filing Date: November 11, 2003  
 Examiner: Collins, Timothy D Group Art Unit: 3643  
 Docket No.: SAI.P023 US KB Ref. No. 1023.P023 US

Irvine, California  
 April 22, 2005

COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

**NOTIFICATION OF LOSS OF ENTITLEMENT TO SMALL ENTITY  
 STATUS AND PAYMENT OF ADDITIONAL FEE DUE**

Dear Sir:

On November 11, 2003, Applicant, through its attorney, paid the filing fee and excess claim fees of \$439.00 for serial number 10/706,673. Applicant mistakenly paid the filing fee and excess claim fee amounts for a small entity instead of a large entity. Applicant hereby notifies the PTO that it is no longer entitled to status as a small entity, and that the claim for small entity status is hereby withdrawn. The erroneous claim to small entity status was made in good faith, without any intent whatsoever to deceive or commit fraud on the Patent Office.

Adjustment date: 05/02/2005 SLUANG1  
 11/18/2003 MAHNE1 00000004 502240 10706673  
 01 FC:2001 305.00 CR  
 02 FC:2202 54.00 CR

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05/02/2005 SLUANG1 00000013 502240 10706673  
 01 FC:1001 229.00 DA 561.00 DP  
 02 FC:1202 300.00 DA

The following is an itemization of the deficiency payment:

Type of Fee /Date Paid	Number of Claims/ Remaining Claims	Current Large Entity Fee	(A) Total Large Entity Fee Owed	(B) Small Entity Fee Actually Paid	Deficiency (A - B)
Basic Filing Fee 11/11/2003	n/a	300.00	300.00	385.00	(\$ 85.00)
Search Fee	n/a	500.00	500.00	0.00	\$ 500.00
Examination Fee	n/a	200.00	200.00	0.00	\$ 200.00
Claims over 20 11/11/2003	6	--	0.00	54.00	(\$ 54.00)
Canceled (Restricted) 08/09/2004	10	--	0.00	0.00	\$ 0.00
Claims over 20	0	50.00	0.00	0.00	\$ 0.00
Independent Claims over 3	0	200.00	0.00	0.00	\$ 0.00
<b>TOTAL</b>					<b>\$ 561.00</b>

Applicant hereby respectfully requests that the PTO accept the deficiency payment of \$561.00 that is due in relation to the filing fees and excess claim fees that was filed for application serial no. 10/706,673, and which inadvertently claimed the benefit of small entity status. The United States Patent and Trademark Office is hereby authorized to charge \$561.00 to the credit card listed on the enclosed Credit Card Charge Form. The Commissioner is hereby authorized to charge any deficiency in the amount due or credit any overpayment to Deposit Account No. 50-2240.

The undersigned registered patent attorney represents that he is authorized to act in a representative capacity for the above-identified applicant(s).

I hereby certify that this correspondence is being facsimile transmitted to the USPTO, Central Number at (703) 872-9306 on the date shown below

(Signature)

Jay C. Ngo

(Printed Name of Person Signing Certificate)

(Date)

Respectfully submitted,

Mary Jo Bertani  
Attorney for Applicant(s)  
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